UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:	
	25-md-03143 (SHS) (OTW)
	:
OPENAI, INC.,	
COPYRIGHT INFRINGEMENT LITIGATION	:
This Document Relates To:	:
THE NEW YORK TIMES COMPANY v.	:
MICROSOFT CORPORATION, et al., No. 23-	
cv-11195	
	:

DECLARATION OF I. KECHIDA IN SUPPORT OF OPENAI
DEFENDANTS' SUPPLEMENTAL OPPOSITION TO NEWS PLAINTIFFS' MOTION
REGARDING OUTPUT LOGS

I, Idriss Kechida, hereby declare as follows:

1.   I am the Global Data Protection Officer at OpenAI. In my role, I advise on the development and implementation of privacy and data protection standards across OpenAI; as well as monitor and help ensure OpenAI's compliance with global privacy laws and regulations. I submit this declaration in support of OpenAI Defendants' Supplemental Opposition to News Plaintiffs' Motion Regarding Output Logs, filed concurrently herewith. I have personal knowledge of the facts set forth below and if called as a witness, could testify competently thereto.

2.   Security and privacy are at the core of OpenAI's mission and maintaining trust with users and customers are foundational to the company's business. OpenAI's data practices are critical to our customers' compliance with a broad range of laws. Indeed, those practices— and, in particular, our data retention practices—are often the central question or concern our

customers raise when contracting for OpenAI's services. OpenAI ensures that organizational

and consumer data remains confidential and secure by adhering to industry standards and is

committed to regulatory compliance with the global privacy laws, including, for example, the

European Union's General Data Protection Regulation (GDPR), the California Consumer

Privacy Act (CCPA), and other privacy laws. OpenAI also supports its customers' compliance

with myriad other regulations including, for example, the Health Insurance Portability and

Accountability Act (HIPAA).

3.   OpenAI also maintains a comprehensive framework of data protection policies

and procedures that both ensures that its customers and users have control over the data they

share with OpenAI's services, and ensures appropriate handling of that data—including deletion

of data that they want deleted. These practices are absolutely central to the trust our customers

and users place in our services, as evidenced by the fact that our customers and users regularly

reach out to us about data retention. For that reason, OpenAI provides users with robust data

controls to exercise their choices with respect to data usage, retention, and deletion. OpenAI also

publishes resources for users relating to its privacy commitments on its website, including by

making very specific commitments to users and customers on data retention timelines.[1]

4.   A requirement to preserve user data regardless of OpenAI's policies and

agreements would directly compromise OpenAI's steadfast commitment to honoring its users'

data preferences. It would also implicate the laws and regulations of the 160+ countries where

OpenAI's users reside. Those laws and regulations include numerous robust international,

multistate, and national regulations—like the EU GDPR, the UK's Global Data Protection

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[1] *See, e.g.*, OpenAI Help Center, Chat and File Retention Policies in ChatGPT,
https://help.openai.com/en/articles/8983778-chat-and-file-retention-policies-in-chatgpt (last accessed May 23,
2025).

Regulation (UK GDPR), Brazil's General Data Protection Law (Lei Geral de Proteção de Dados or LGPD), South Korea's Personal Information Protection Act (PIPA), Japan's Protection of Personal Information law (APPI), Singapore's Personal Data Protection Act (PDPA), and Canada's Personal Information Protection and Electronic Documents Act (PIPEDA)—and an elaborate and overlapping collage of state and local privacy laws, including data security and privacy laws enacted by U.S. states like California (e.g., California Consumer Privacy Act (CCPA) and California Privacy Rights and Enforcement Act (CRPA)). Many of these laws and regulations specifically regulate data retention, including by imposing requirements to adhere to principles of storage limitation and proportionality and to respect individuals' fundamental rights to privacy and data protection, and right to object or delete.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 23rd day or May 2025, in Dublin, Ireland.
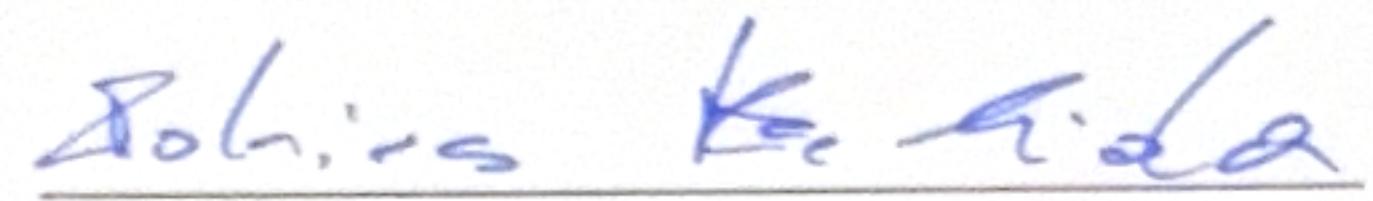
Idriss Kechida
Global Data Protection Officer
OpenAI